



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**IN RE: REFCO INC. SECURITIES LITIGATION**

**Case No. 07 MDL 1902 (JSR)**

This document applies to:

**MARC S. KIRSCHNER,  
As Trustee of the Refco Private Actions Trust,**

**Plaintiff,**

**Case No. 07 Civ. 8165 (JSR)**

**v.**

**STIPULATION AND ORDER**

**PHILLIP R. BENNETT, SANTO C. MAGGIO,  
ROBERT C. TROSTEN, MAYER, BROWN LLP,  
MAYER BROWN INTERNATIONAL LLP, and  
GRANT THORNTON LLP,**

**Defendants.**

**GRANT THORNTON LLP,**

**Defendant/Third-Party  
Plaintiff,**

**v.**

**THOMAS H. LEE PARTNERS, L.P.; THL EQUITY  
ADVISORS V, LLC; THL MANAGERS V, LLC;  
THOMAS H. LEE EQUITY FUND V, L.P.;  
THOMAS H. LEE PARALLEL FUND V, L.P.,  
THOMAS H. LEE EQUITY (CAYMAN)  
FUND V, L.P., THOMAS H. LEE; DAVID V.  
HARKINS; SCOTT L. JAECKEL; and SCOTT A.  
SCHOEN,**

**Third-Party Defendants.**

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the undersigned parties to the above-captioned action ("Action"), as follows:

1. The time for the third-party defendants to answer, move, or otherwise respond to the third-party complaint for contribution in this Action is extended through and until March 23, 2011.
2. This stipulation may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same agreement, and a facsimile, which shall have the same force and effect as an original signature, may be filed in place and instead of the original.
3. No previous requests for the relief sought herein have been made.

KELLOGG, HUBER, HANSEN, TODD  
EVANS & FIGEL, P.L.L.C.

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Thomas H. Lee Parallel Fund V, L.P.,  
Thomas H. Lee Equity (Cayman) Fund V,  
L.P., Thomas H. Lee, David V. Harkins, Scott  
L. Jaeckel, and Scott A. Schoen*

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**SO ORDERED:**

*John Hall*  
**U.S.D.J.**  
*3-8-11*

*Attorneys for Grant Thornton LLP*